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**"EXPRESS MAIL CERTIFICATE"**

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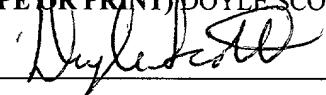
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Attorney Docket No. 1165

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

**UTILITY PATENT APPLICATION TRANSMITTAL**

Inventor(s): Wesley B. Bruce and Xiping Niu

Title: Novel Plant Promoters and Methods of Use

**APPLICATION ELEMENTS**

1.  Fee Transmittal Form (Submit an original, and a duplicate for fee processing)
2.  Specification [Total Pages 41]  
(Preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) (35 USC 113) [Total Sheets 15]
  - a.  Formal
  - b.  Informal

4.  Oath or Declaration [Total Pages 3]  
a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)  
i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5.  Microfiche Computer Program (Appendix)
6.  Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)  
a.  Computer Readable Copy  
b.  Paper Copy (identical to computer copy) [Total Pages 11]  
c.  Statement verifying identity to above copies

**ACCOMPANYING APPLICATION PARTS**

7.  Assignment Papers (cover sheet & document(s))
8.  37 CFR 3.73(b) Statement  Power of Attorney  
(where there is an assignee)
9.  English Translation Document (if applicable)
10.  Information Disclosure Statement (IDS/PTO-1449)  Copies of IDS Citations
11.  Preliminary Amendment
12.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
13.  Small Entity Statement(s)  Statement filed in prior application  
Status still proper and desired
14.  Certified Copy of Priority document(s)
15.  Other:

Attorney Docket No. 1165

16. If a **CONTINUING APPLICATION**, check the appropriate box, and supply the requisite information below and in a preliminary amendment:

Continuation     Divisional     Continuation-in-part (CIP) of prior application No. \_\_\_\_\_.

Prior application information: Examiner \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

#### 17. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label: \_\_\_\_\_  
(Insert Customer No. or Attach bar code label here)  
or

Correspondence address below

Name: Debra L. Blair

Address: Pioneer Hi-Bred International, Inc.  
Corporate Intellectual Property  
7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000

City Johnston State: Iowa Zip Code: 50131-1000

Country: USA Phone: (515) 248-4897 Facsimile: (515) 334-6883

#### 18. FEE CALCULATION

The total fee is calculated as shown below:

Basic Filing Fee				\$ 710.00
Total Claims	18 - 20	= 0	x \$ 18.00	0.00
Independent Claims	7 - 3	= 4	x \$ 80.00	320.00

Multiple Dependent Claims present + \$270.00 \$

TOTAL FILING FEE \$1,030.00

Attorney Docket No. 1165

- Charge \$1,030.00 to Deposit Account No. 16-1852.
- The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required by this paper, or credit any overpayment, to our Deposit Account No. 16-1852.
- A duplicate of this transmittal is enclosed

Respectfully submitted,



Debra L. Blair  
Attorney for Applicant(s)  
Registration No. 39,112

PIONEER HI-BRED INTERNATIONAL, INC.  
Corporate Intellectual Property  
7100 N.W. 62<sup>nd</sup> Avenue  
P.O. Box 1000  
Johnston, Iowa 50131-1000  
Phone: (515) 248-4897  
Facsimile: (515) 334-6883

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce, et al. Date: January 19, 2001

Serial No.: Not known Group Art Unit: Not known

Filed January 19, 2001 Examiner: Not known

For: "Novel Plant Promoters and Methods of Use"

Assistant Commissioner for Patents  
Box Sequence  
Washington, D.C. 20231

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE**  
**WITH 37 CFR §§1.821 THROUGH 1.825**

- I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
- I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages \_\_\_\_\_. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.

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- I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), is identical to that originally filed.

Respectfully submitted,



Debra L. Blair  
Attorney for Applicant(s)  
Registration No. 39,112

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